

ASSEMBLY BILL

No. 2118

Introduced by Assembly Member Villines

February 20, 2008

An act to add Section 11346.35 to the Government Code, relating to state agencies.

LEGISLATIVE COUNSEL'S DIGEST

AB 2118, as introduced, Villines. State agencies: administrative regulations.

Existing law, the Administrative Procedure Act, sets forth the procedures and requirements a state agency is required to follow when adopting, amending, or repealing an administrative regulation. The act requires an agency to assess whether and to what extent the proposal will affect the creation or elimination of jobs within the state, the creation of new businesses or elimination of existing businesses within the state, and the expansion of businesses currently doing business within the state.

This bill, notwithstanding any other provision of the act, would prohibit a state agency from adopting a regulation that either would require any person or entity to use a specific technology unless that technology has been operational and proven effective for more than 2 years or would place an undue burden on California business on an annual basis and result in significant loss of jobs.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 11346.35 is added to the Government
- 2 Code, to read:
- 3 11346.35. Notwithstanding any other provision of this chapter,
- 4 a state agency shall not adopt a regulation that would do either of
- 5 the following:
- 6 (a) Require any person or entity to use a specific technology
- 7 unless that technology has been operational and proven effective
- 8 for more than two years.
- 9 (b) Place an undue burden on California business on an annual
- 10 basis and result in significant loss of jobs.